

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:08MD1932-MU**

**IN RE FAMILY DOLLAR FLSA
LITIGATION**

ORDER

This matter is before the Court on Plaintiffs' Rule 56(F) Motion filed July 30, 2009 (Doc. No. 252); Plaintiff's Request for Expedited Briefing 56(F) Motion (Doc. No. 253) and Defendant's Reply, filed August 3, 2009 (Doc. No.268.)

Defendant filed a Motion for Summary Judgment with respect to Plaintiff Jewell Ray Belford on July 23, 2009 (Doc. No. 214.) In support of the motion, Defendant relies on, Plaintiff's own admissions and the declaration of Penny Sundberg, Plaintiff's District Manager among other things. Plaintiff filed the instant motion in response to Defendant's Motion for Summary Judgment seeking additional time to respond to Defendant's motion. Plaintiff specifically asks the Court to defer ruling on the motion until after Ms. Sundberg has been deposed which is currently scheduled for August 20, 2009. This is not an unreasonable request.

The Court has considered the arguments in Plaintiff's motion and Defendant's response and grants Plaintiff's motion. Ms. Sundberg is scheduled to be deposed on August 20, 2009. Plaintiff

SHALL respond to Defendant's motion for summary judgment with respect to Plaintiff Jewell Ray Belford on or before September 3, 2009.¹

IT IS, THEREFORE ORDERED that: Plaintiffs' Rule 56(F) Motion (Doc. No. 252) is Granted. Plaintiff Jewell Ray Belford shall respond to Defendant's Motion for Summary Judgment on or before September 3, 2009. Plaintiff's Motion for Expedited Briefing on the Rule 56(F) motion (Doc. No. 253) is granted.

SO ORDERED.

Signed: August 4, 2009



Graham C. Mullen
United States District Judge



¹ Plaintiff's response is expected on or before September 3, 2009 even if that means requesting an expedited transcript.